

MEDICINE BOARD[653]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 147.76 and 148.13, the Board of Medicine hereby proposes to amend Chapter 9, "Permanent Physician Licensure," Iowa Administrative Code.

The proposed amendment states that the preliminary notice of denial is a public record and that the applicant will be notified of the appeal process.

The Board approved the amendment to Chapter 9 during a regularly scheduled meeting on February 12, 2009.

Any interested person may present written comments on this proposed amendment not later than 4:30 p.m. on March 31, 2009. Such written materials should be sent to Mark Bowden, Executive Director, Board of Medicine, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa 50309-4686; or sent by E-mail to mark.bowden@iowa.gov.

There will be a public hearing on March 31, 2009, at 1:30 p.m. in the Board office, at which time persons may present their views either orally or in writing. The Board of Medicine office is located at 400 S.W. Eighth Street, Suite C, Des Moines, Iowa.

This amendment is intended to implement Iowa Code chapters 147 and 148.

The following amendment is proposed.

Amend subrule 9.15(1) as follows:

9.15(1) Preliminary notice of denial. Prior to the denial of licensure to an applicant, the board shall issue a preliminary notice of denial that shall be sent to the applicant by regular, first-class mail at the address provided by the applicant. The preliminary notice of denial ~~shall be in writing, is a public record and shall~~ cite the factual and legal basis for denying the application, notify the applicant of the ~~time for~~ appeal process, and specify the date upon which the denial will become final if it is not appealed.